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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 9th September 2005

No. 7643-Ii/1 (J)-19/04/LE.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award dated the 16th July 2005 in I.D. Case No. 1/05 of the Presiding Officer, Labour Court, Jeypore to whom the industrial dispute between the Management of M/s. O.S.R.T. Corporation, Berhampur, At/P.O. Berhampur, Dist. Ganjam and its workman Smt. Bhagyabati Satpathy, Ex-Water Woman, C/o. Kailash Chandra Mishra, At. Nehrunagar, Berhampur, Dist. Ganjam was referred for adjudication is hereby published as in the scheduled below:—

SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER, LABOUR COURT, JEYPORE, KORAPUT
INDUSTRIAL DISPUTE CASE No. 1 OF 2005
Dated the 16th July 2005

Present:

Shri R.K. Saran,
Presiding Officer,
Labour Court, Jeypore
Dist. Koraput.

Between:

The Management of
M/s. O.S.R.T. Corporation, Berhampur,
At/P.O. Berhampur,
Dist. Ganjam.

. . First party—Management

Versus

Its workman,
Smt. Bhagyabati Satapathy,
Ex-water Woman.
C/o. Shri Kailash Chandra Mishra,
At. Nehrunagar, Berhampur
Dist. Ganjam.

. . Second party—Workman

Under Sections: 10 & 12 of the Industrial Disputes Act, 1947.

Appearances:

For the Management	.. None.
For the workman	.. Shri K.Ch. Mishra, A/R of the Workman.
Date of Argument	.. 12-07-2005
Date of Award	.. 16-07-2005

AWARD

This is a reference U/s. 10 (1) read with Section 12 (5) of the Industrial Disputes Act, 1947 made by the State Government of Orissa in their Labour & Employment Department Memo. No.1122 (5), dated the 1st February 2005 for adjudication of the dispute mentioned below :

SCHEDULE

“ Whether the termination of services of Smt. Bhagyabati Satapathy, Water Woman, with effect from 17-02-2004 by the Management of M/s. O.S.R.T. Corporation, Berhampur is legal and/or justified ? If not, what relief is Smt. Satpathy entitled to ?”

2. The Second party-Workman in order to prove his case she has filed an affidavit evidence stating that she has been engaged as a Water Woman with effect from 1997 under the first party-Management on 16-02-2004 without any break or interruption in service. But the Management illegally terminated her service on 17-02-2004 without any reason and without giving him any benefits. The second party workman raised the dispute which has been subsequently referred to this Court for adjudication.

3. In spite of valid notices the first party Management did not appear nor contested the case and as such she is set *ex parte*. The second party workman as already stated above supports her case by filing affidavit evidence and there is no reason to disbelieve it. Therefore the only conclusion is that the workman has been illegally terminated by the first party Management and she is entitled to the reliefs claimed.

4. The action of the Management of the Orissa State Road Transport Corporation, Berhampur, in terminating the service of Smt. Bhagyabati Satapathy, Ex-Water Woman with effect from 17-02-2004 is held illegal and unjustified and she is entitled to full back wages and reinstatement immediately.

Dictated and Corrected by me.

R.K.SARAN,
16-07-2005
Presiding Officer,
Labour Court, Jeypore,
Dist. Koraput.

R.K.SARAN,
16-07-2005
Presiding Officer,
Labour Court, Jeypore,
Dist. Koraput.

By order of the Governor

D.MISHRA
Under-Secretary to Government